

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

AVANT LOCATION TECHNOLOGIES
LLC,

Plaintiff,

V.

APPLE INC.,

Defendant.

Case No. 2:24-cv-00757-JRG
(LEAD CASE)

JURY TRIAL DEMANDED

**JOINT MOTION FOR EXTENSION OF TIME TO BRIEFING SCHEDULE FOR
APPLE INC.'S MOTION TO DISMISS OR, ALTERNATIVELY, TO TRANSFER TO
THE NORTHERN DISTRICT OF CALIFORNIA (DKT. 33)**

Plaintiff Avant Location Technologies LLC (“Avant”) and Defendant Apple Inc. (“Apple”) (collectively, “the Parties”) respectfully file this Joint Motion for Extension of Time to Briefing Schedule for Apple’s Motion to Dismiss or, Alternatively, to Transfer to the Northern District of California (Dkt. 33) (“the Motion”).

Apple filed the Motion on November 22, 2024. (Dkt. 33). Avant filed its response to the Motion on December 23, 2024 (Dkt. 59). The current deadline for Apple's reply is December 31, 2024. The Parties respectfully request that the Court extend the deadline for Apple's reply by 10 days to January 10, 2025 and the deadline for Avant's sur-reply by 10 days to January 27, 2025.

The Parties do not file this joint motion for the purpose of delay, but rather to allow the Parties to adequately address the issues associated with the Motion, and in order that justice be done.

Dated: December 26, 2024

Respectfully submitted,

/s/ Peter Lambrianakos (with permission)

Alfred R. Fabricant

NY Bar No. 2219392

Email: ffabricant@fabricantllp.com

Peter Lambrianakos

NY Bar No. 2894392

Email: plambrianakos@fabricantllp.com

Vincent J. Rubino, III

NY Bar No. 4557435

Email: vrubino@fabricantllp.com

FABRICANT LLP

411 Theodore Fremd Avenue, Suite 206 South

Rye, New York 10580

Telephone: (212) 257-5797

Facsimile: (212) 257-5796

William E. Davis, III

Texas Bar No. 24047416

Email: bdavis@davisfirm.com

Ty Wilson Texas

State Bar No. 24106583

Email: twilson@davisfirm.com

DAVIS FIRM PC

213 N. Fredonia Street, Suite 230

Longview, Texas 75601

Telephone: (903) 230-9090

Facsimile: (903) 230-9661

ATTORNEYS FOR PLAINTIFF

AVANT LOCATION TECHNOLOGIES, LLC

/s/ Melissa R. Smith

Joseph J. Mueller (*pro hac vice*)

Andrew J. Danford (*pro hac vice*)

WILMER CUTLER PICKERING HALE AND

DORR LLP

60 State Street

Boston, MA 02109

(617) 526-6000

joseph.mueller@wilmerhale.com

andrew.danford@wilmerhale.com

Mark D. Selwyn (*pro hac vice*)
Joseph F. Haag (*pro hac vice*)
WILMER CUTLER PICKERING HALE AND
DORR LLP
2600 El Camino Real, Suite 400
Palo Alto, CA 94306
(650) 858-6000
mark.selwyn@wilmerhale.com
joseph.haag@wilmerhale.com

Melissa R. Smith
Texas State Bar No. 24001351
GILLAM & SMITH LLP
303 S. Washington Ave.
Marshall, TX 75670
(903) 934-8450
melissa@gillamsmithlaw.com

***ATTORNEYS FOR DEFENDANT
APPLE INC.***

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on December 26, 2024, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Melissa R. Smith

Melissa R. Smith

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that all counsel of record have met and conferred in accordance with Local Rule CV-7(h) and this joint motion is unopposed.

/s/ Melissa R. Smith

Melissa R. Smith